

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
DIVISION OF DESIGN PROFESSIONALS
1511 PONTIAC AVENUE, BLDG. 69-1
CRANSTON, RI 02920
(401) 462-9592 Fax: (401) 462-9532 www.bdp.state.ri.us**

MINUTES OF THE MEETING OF THE BOARD

DATE: 25 August 2010

**PLACE: Department of Business Regulation
 1511 Pontiac Avenue, Building 68, Conference Room
69-1 Cranston, RI 02920**

TIME: 12:00 PM

**MEMBERS PRESENT: Chairman L. Robert Smith, PE, Vice Chairman
Richard A. Bernardo, PE, Secretary Christopher Duhamel, PE, PLS,
Mr. Robert Fairbanks, Jr., PE and Mr. Wayne D. Moore, PE, Board
Members**

**OTHERS PRESENT: Louis A. DeQuattro, Jr., Deputy Director &
Counsel DBR**

**Brian Riggs, DBR Administrator, Financial Management
Dawne Broadfield, Administrative Assistant II**

Kevin Blais

Patrick J. Quinlan, RI Consulting Engineers (RICE)

Paul B. Aldinger, Kenneth DeCosta, and Joseph J. Giordano

CALLED TO ORDER: Chairman Smith called the meeting to order at 12:05 PM to commence Board business.

Kevin Blais left at 12:06 p.m.

Mr. Quinlan, Mr. Aldinger, Mr. DeCosta and Mr. Giordano left at 1:51 p.m.

Secretary Duhamel, PE, PLS, and Board Member Wayne D. Moore, PE left at 1:52 pm

Attorney DeQuattro left at 2:01 p.m.

Mr. Riggs left at 2:03 p.m.

(1) NEW BUSINESS:

Vice Chairman Bernardo made a motion to approve the minutes of the 19 May 2010 Board meeting as submitted. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, five in favor. Voting in favor were Chairman Smith, Vice Chairman Bernardo, Secretary Duhamel, Mr. Fairbanks, Jr., Board Member and Mr. Moore, Board Member. Vice Chairman Bernardo made a motion to accept and seal the minutes of the Executive Session of 19 May 2010. Mr. Moore. seconded the motion. The motion passed unanimously; five in favor. Voting in favor were Chairman Smith, Vice Chairman Bernardo, Secretary Duhamel, Mr. Fairbanks, Jr., Board Member and Mr. Moore, Board Member.

(2) EXECUTIVE SESSION

Vice Chairman Bernardo made a motion to convene into executive session at 12:06 PM pursuant to RI General Laws, Section §42-46(5)(a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-(5)(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct.

Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously; five in favor. Voting in favor were Chairman Smith, Vice Chairman Bernardo, Secretary Duhamel, Mr. Fairbanks, Jr., Board Member and Mr. Moore, Board Member.

8/25/2010

Page 1 of 15

Vice Chairman Bernardo moved to adjourn from executive session and to reconvene to open meeting at 1:10 PM pursuant to R.I.G.L. §42-46-4. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously; five in favor. Voting in favor were Chairman Smith, Vice Chairman Bernardo, Secretary Duhamel and Mr. Fairbanks, Jr., Board Member and Mr. Moore, Board Member.

Vice Chairman Bernardo moved to seal the executive session pursuant to R.I.G.L. §42-46-4 and §42-46-5 and to record the votes taken in executive session in accordance with RI General Laws, §42-46-4 as follows: in "Old Business" C2008-1 closed, C2008-2 closed, C2009-3 moved to monitoring, P2008-29 closed, P2010-7 closed, C2010-1 continued, P2010-8 continued, P2010-13 continued,

P2010-09 closed, P2010-10 closed, C2007-8 continued, Mr. Fairbanks, Jr. seconded. Vice Chairman Bernardo was recused on C2009-3 and C2007-8. Roll call vote was taken. Secretary Duhamel voted “yes.” Mr. Fairbanks, Jr. voted “I.” Vice-Chairman Bernardo voted “yes.” Mr. Moore voted “yes.” The Chair voted “I.”

Vice-Chairman Bernardo continued to record the votes taken in executive session in accordance with RI General Laws, §42-46-4 as follows in “New Business” P2010-14 continued, P2010-15 closed, P2010-16 continued, P2010-17 continued, P2010-18 continued, and Q (which did not have a number) closed. Mr. Fairbanks, Jr. seconded. Roll call vote was taken. Secretary Duhamel voted “yes.” Mr. Fairbanks, Jr. voted “I.” Vice-Chairman Bernardo voted “yes.” Mr. Moore voted “yes.” The Chair voted “I.”

Chairman Smith noted that “Monitoring” stays under “monitoring.”

In Executive Session pending matters, there are twenty (20) pending matters, comprised of eleven (11) potential litigation-related matters and six (6) investigative matters, three (3) monitoring matters with one (1) recusal in two (2) matters.

(3) Discussion of the Task List

Public Attendees present were: Patrick J. Quinlan, Executive Director, RI Consulting Engineers (RICE); Paul B. Aldinger; Kenneth DeCosta and Joseph J. Giordano

Statement of Record from Chairman Smith:

Chair Smith indicated the Professional Land Surveyors and representatives of the Engineering Board met and worked out a new “Task List.” The Land Surveyors Board approved the new “Task List” at its meeting. It now can be approved and scheduled for a Public Hearing. After the public hearing, it can then be modified based on the public comments. If this Board comes up with a different “Task List” than what Secretary Duhamel has, then it goes back to the Land Surveyors Board and then to Public Hearing. The “Task List” had no weight in that it was never adopted at a Public Hearing. In the interim, the Land Surveyors Board sent a letter to all of the Planning and Zoning Boards and Building Officials stating that the “Task List” did not exist, which brought both Boards into negotiation.

Statement for the Record from Mr. Fairbanks, Jr.:

Mr. Fairbanks, Jr. felt that between the Engineering law and the Surveying law that the engineers are adequately covered and clear between what the NCEES and the ASCE Policy Statement 333 has nationally provided to engineers as work that they should be allowed to do across the country.

Chair Smith indicated that Vice-Chairman Bernardo has moved at the 15 May 2010 meeting to allow Mr. Fairbanks, Jr. time to meet with the Land Surveyors and asked if the meeting has happened. Mr. Fairbanks, Jr. replied that he did not see a need to meet with the Land Surveyors. Mr. Fairbanks, Jr. indicated that he has reached out,

through Secretary Duhamel, on several occasions. Unfortunately they have not met with him. Mr. Fairbanks, Jr. indicated that he has been dealing with many of the Board's engineers and societies. Mr. Fairbanks, Jr. indicated that one of the Board's past attorneys advised that the engineers were within their right to do surveying, to recognize the "Task List" and to interpret this Board's law aggressively. The Board is now talking about limiting the amount of work that engineers can do and has historically been able to do in particular the topographic survey.

8/25/2010

Page 2 of 15

Statement for the Record from Mr. Duhamel, PE:

Secretary Duhamel reported on the changes and handed out a draft of the revised "Task List" that excluded the land surveyors from doing design and roadways drainage. This "Task List" was modified and does not address any individual septic design systems (ISDS) design issues. ISDS designs are now approved and regulated by the Department of Environmental Management (DEM). The most contentious item has been the topographic survey. Mr. Duhamel indicated that the suggestions were made for a half (1/2) acre to one (1) acre seemed reasonable. Mr. Fairbanks, Jr. noted his concern about a half (1/2) acre or one (1) acre as the minimum lot size is in Exeter or West Greenwich since the minimum lot size is three and a half (3 1/2) acres. Mr. Fairbanks felt that the Board should be regulating the quality of the work as to imposing a magic number. Secretary Duhamel indicated that the acreage was negotiated and

based on new development. The Land Surveyors refer to the Procedural Technical Standards for the Practice of Land Surveying. Secretary Duhamel addressed Mr. Fairbanks about his looking into changing the language of the law. Mr. Fairbanks, Jr. indicated that the change is very simple and believes that the one comma was missing when the original engineering law was filed. Mr. Fairbanks, Jr. suggested that a comma be placed between “evaluations and surveys.” With that one simple change, this all goes away.

Statement for the Record from Patrick J. Quinlan, Esq., Executive Director, RICE

Attorney Quinlan introduced himself to the Board and indicated that he is the Executive director of the Rhode Island Consulting Engineers (RICE), an association consisting of 24 engineering firms doing civil engineering work in Rhode Island. RICE opposes any “Task List” for controlling or limiting the type of work engineers do. Attorney Quinlan felt that this Board is trying to define the scope of engineering practice that is a statutory matter and that administratively the Board cannot enact rules if the rules go beyond the power granted by the statute that created the Board. Attorney Quinlan suggested an Advisory Opinion Procedure. Attorney Quinlan submitted a letter noting RICE’s concern with this issue. The Board asked Attorney DeQuattro to look at this and report back to the Board with a recommendation.

Secretary Duhamel explained that the “Task List” stems from the way

the Land Surveyors' law was written and the way the Engineers' law was written. Secretary Duhamel indicated that in his opinion, the "Task List" was meant to define further the review of the statute and that the statute is not clear enough. Secretary Duhamel felt that it would be better to submit a revised law that would define "engineering."

Chairman Smith requested that Attorney DeQuattro look into this issue and come back to the Board with a recommendation or opinion as to whether or not the whole Board should submitting an advisory opinion and also to look into the risks of adopting a rule that divides the engineers and land surveyors and submit a law change to the General Assembly.

Statement of Record from Chairman Smith:

Chairman Smith indicated that Roger Williams University (RWU) and Brown University (BU) no longer teach surveying. The University of Rhode Island (URI) has made surveying an elective and offered it this summer. The elective was not given due to the lack of interest. Chairman Smith questioned how the Board is protecting the public health, welfare and safety. The Board is saying that a civil engineer can practice surveying within guidelines where someone who is fire protection, mechanical, electrical or chemical engineer could not.

Statement for the Record from Paul Aldinger:

Mr. Aldinger stated for the record that he did not have anything more

to add and agreed to what Attorney Quinlan said. Mr. Aldinger does not see any reason why a person who graduated from a civil engineering program that has to use the results of the survey should not be able to do that. Engineers have to rely on their own ability, have to use that data and have to know where it came

8/25/2010

Page 3 of 15

from. Engineers have to be able to do that measurement and not rely on somebody else if the engineer wants to use it. Secretary Duhamel told Mr. Aldinger that the Land Surveyors Board did agree to the engineers continuing that practice.

Statement for the Record from Kenneth DeCosta:

Mr. DeCosta commented on the last point made by Chairman Smith concerning the civil engineering programs requiring surveying as a requirement or not even offering the surveying. Mr. DeCosta indicated that he was educated in a time when surveying was a requirement. Mr. DeCosta stated that he would have never considered himself capable of measuring surveying functions that they routinely use either they hire out as a firm or perform in-house. Mr. DeCosta stated that it is an important part of what the professional engineers do and he thought that the professional engineers should be supporting wherever they can for the education for those surveying skills. However, Mr. DeCosta thought it was incumbent on this Board to evaluate those people who are performing services and they do not have the capabilities but not

restricting those who have the education and experience and do them well and are truly living up to the standard of engineering and the public safety issues.

Chairman Smith stated that he has chaired several environmental advisory boards at URI and they have fought a losing battle to get surveying back in due to a large capital for equipment. They do not have the in-house services to teach it, and there is pressure to contract to 120 credits. The department looks at it as non-professional skill. Mr. Fairbanks, Jr. indicated that he spoke to Dean Wright, URI. Based on the last accreditation review and the recommendation of the committee to drop surveying and make it an elective, they did not realize the ramifications that it would have to practicing engineers. They are actually seriously considering making that a requirement again. Mr. Fairbanks, Jr. has a couple of land surveyors who have agreed to go to URI with the equipment and teach that course.

Statement of Record from Chairman Smith:

Chairman Smith stated that the Board will not take any action until it gets the recommendation or opinion from Attorney DeQuattro.

**(4) NCEES Distinguished Service Award with Special Commendation
Chairman Smith, at the recommendation of the Committee on Awards and the approval of the NCEES Board of Directors, has been selected to receive the NCEES Distinguished Service Award with Special**

Commendation. Chairman Smith received that award at the NCEES Annual Meeting held in Denver, Colorado in August 2010. Vice-Chairman Bernardo congratulated Chairman Smith on his NCEES award and his commendation from the Governor, State of Rhode Island.

(5) Revisions to the Professional Engineering Application for Registration by Comity

The Board reviewed the revisions, accepted and closed.

(6) Board for Design Professionals Website

Chairman Smith asked that the DOA IT department check to make certain that the Board's General Laws are directly linked to the Secretary of State's Office. Ms. Marshall checked with DOA's IT department regarding the link on the Board's website relating to the Board's General Laws. Ms. Marshall was assured that the link is directly connected to the Secretary of State's website. The Board accepted and closed.

(7) Discussion on Certificate of Authorization Renewal Fees and Penalties

Attorney Bernstein sent the Board a summary of what the different laws were for the Certificate of Authorization. He asked that the information be distributed for information purposes only. The Board so noted.

8/25/2010

Page 4 of 15

(8) Governor Carcieri issues Executive Order

Mr. Riggs reported that nothing has moved forward. Vice-Chairman Bernardo made a motion to continue. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer Fairbanks, Jr., Board Member. Secretary Duhamel and Messer Moore, Board Members, were absent from this vote.

(9) Professional Engineering examination results for April 16, 2010

Vice-Chairman Bernardo made a motion to accept the results of the Professional Engineering examination as provided by NCEES. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members, were absent from this vote.

(10) Engineer-in-Training examination results for April 17, 2010

Vice-Chairman Bernardo made a motion to accept the results of the Engineer-in-Training examination as provided by NCEES. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer Fairbanks, Jr.

Secretary Duhamel and Messer Moore, Board Members, were absent from this vote.

(11) NCI Building Systems

This firm is asking if their practice is exempt under manufacturing. Chairman Smith will draft a response for circulation indicating that it is the Board's opinion that a COA would be necessary in that the manufactured product is not a generic one size fits all, but rather designed specifically for each individual site.

(12) Undersea Science and Engineering Foundation

Request from Attorney Richard Leary of Cranston, RI, asking for a waiver to use the term "engineering" in the title of a non-profit to set up, promote and enforce enthusiasm for the Undersea Science and Engineering Foundation. Chairman Smith asked Attorney DeQuattro to look into the request for waiver and to distinguish very careful when that term can be used by waiver if at all. Attorney DeQuattro will look into this and get back to the Board. Chairman Smith instructed Mrs. Broadfield to send a fax to Attorney Leary indicating that the Board has its Counsel looking into his request and that the Board and will let him know. Attorney DeQuattro requested that Mrs. Broadfield set up a telephone call with Attorney Leary and himself for discussion.

APPLICATIONS:

(13) John E. Ayotte

Mr. Ayotte wants to take the professional engineering exam. His application is no longer valid, and therefore, he must reapply. As part of reapplying, Mr. Ayotte would have to request Brian Thalmann to verify his professional engineering experience again. Mr. Thalmann had verified Mr. Ayotte's professional experience in the previous application. Mr. Ayotte is requesting that the Board take Mr. Thalmann's previous professional engineering experience verification from his old application as part of his new application. Vice-Chairman Bernardo moved that the Board take Mr. Thalmann's previous professional engineering experience verification from his old application as part of his new application. Chairman Smith also recommended that Mr. Ayotte get affidavits from people to prove that he worked for the firm and cross affidavits. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members, were absent from this vote.

8/25/2010

Page 5 of 15

(14) Ivan Filev

The Board noted that Mr. Filev's foreign degree must be evaluated through the NCEES Credentials Evaluations. Mr. Filev complied and submitted the evaluation for Board review. Vice Chairman Bernardo made a motion to grant comity to Ivan B. Filev in the structural discipline. Mr. Fairbanks, Jr. seconded the motion. The motion

passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Ivan Filev MA Structural

(15) Darren Hayward

Mr. Hayward has his UK based engineering qualifications successfully evaluated by ECEI in June 2004. The Board will only accept those evaluations dated from September 4, 2004 thru September 4, 2006. Mr. Hayward is asking if the Board will accept his evaluation. Chairman Smith made a motion to accept the ECEI evaluation. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members, were absent from this vote.

(16) Ammar Jaber

Mr. Jaber was previously denied by the Board since he holds a non-abet degree and did not pass the Engineer-in-Training (EIT) examination. He is requesting re-review since he has now passed the EIT examination and submitted an updated NCEES record reflecting the verification. Vice Chairman Bernardo made a motion to grant comity to Ammar Jaber in the electrical discipline. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in

favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Ammar Jaber WI Electrical

(17) Peter Johnson

Mr. Johnson is requesting the Board's recommendation as to what re-education or courses are available that will help him pass the PE exam. Chair Smith will respond to Mr. Johnson.

(18) Board review lists for 16 June 2010 and 25 August 25, 2010 to be reviewed at this meeting.

P.E. COMITY:

16 JUNE 2010

Vice Chairman Bernardo made a motion to grant comity to the following individuals in the disciplines specified. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members, were absent from this vote.

Basil, Christopher C. MA Civil Halpin, Christopher CT Mechanical

Burke, James W. MA Civil Jones, Curtis C. CT Civil

Connell, John A. SC Civil Mace, Charles E. MA Electrical

Cook, Daniel A. PA Civil Malin, Ryan P. NY Mechanical

**Cooper, Roy J. CT Civil McDowell, Lawrence D. GA Structural
Crocker, Gabriel ME Civil Pereira, Jose C. CT Civil
Daken, Jr., Richard J. NJ Electrical Waite, Terry NH Civil**

8/25/2010

Page 6 of 15

Vice Chairman Bernardo made a motion to hold comity application for William C. Doherty for lack of the completed Supplemental Information form. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Doherty, William C.

Vice Chairman Bernardo made a motion to deny comity to Edward G. Kowalski for Systems Control. Systems Control is part of the Group II NCEES exams and this Board does not accept Group II. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent

from this vote.

Kowalski, Edward G.

P.E. COMITY:

25 AUGUST 2010

Mr. Fairbanks, Jr. made a motion to grant comity to the following individuals in the disciplines specified. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Albert, Matthew Stanley ME Mechanical Leshko, Brian
Joseph CO Civil

Azure, Mark James MN Electrical Lund, Joshua Aaron NH Structural
Camarda, Marcia M. MD Civil Malenofski, Crystal Lynn WI Structural
Cotton, David C. WY Electrical Mangione, Michael J. NY Civil

Crump, Alicia Irene CA Civil Mejias, Wilfredo MD Civil

Daigneault, Michael Jon MA Mechanical Molina, Augusto
V. TN Structural

Freeman, Rohan A. CT Civil Nadzan, Joseph D. NY Civil

Fults, Matthew W. MN Electrical Oakes, Matthew David IN Civil

Gabby, Brent Allen MA Structural Paull, Andrew C. NH Electrical

Grube, Todd R. MN Electrical Redding, Michael J. NH Civil

Hannigan, Patrick Jon DC Civil Ritter, Karla S. MO Mechanical

Harris, Stuart Henry NJ Civil Rothstein, Shawn Z. CA Civil

Harrison, Edsei R. CA Civil Sadkowski, III, Stanley S. MA Civil
Headland, John R. Civil Shute, William Mark NY Civil
(Approved by E-Mail – Re-Confirm) Simpson, Derek Michael MA Civil
Hultman, William A. WA Civil Smidt, Timothy J. DE Electrical
Jansury, Jr. Edward J. NH Civil Spalinger, Mark A. MO Civil
Jones, Larry D. KS Civil Sullaway, Michael F. CA Civil
Lamb, John NY Mechanical Tobolski, Eric A. DE Structural
Lambert, Jeffrey P. MI Civil Vertucci, Mark G. CT Civil
Lanier, Bryan Keith NC Structural Wall, Daniel J. NH Mechanical
Leary, Rachel B. MA Environmental Webert, Michael
A. MN Mechanical
Leber, Robert Michael MA Mechanical

Vice Chairman Bernardo made a motion to grant comity to Ahmad Husam Uddin in the discipline specified. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Ahmad, Husam Uddin NY Civil

8/25/2010

Page 7 of 15

Mr. Fairbanks, Jr. made a motion to grant comity to Prakash R. Desai

in the discipline specified. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Desai, Prakash R. CA Civil/Structural

Vice Chairman Bernardo made a motion to grant comity to Islam Aamer in the discipline specified. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Islam, Aamer NY Civil

Mr. Fairbanks, Jr. made a motion to deny comity to Shraddha Joshi. Mr. Joshi's education must be verified through the new NCEES Center. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Joshi, Shraddha

Mr. Fairbanks, Jr. made a motion to hold comity application for Michael Joseph Kurtz for lack of the completed Supplemental

Information form. Vice-Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Kurtz, Michael Joseph

Mr. Fairbanks, Jr. made a motion to deny comity to Harri Kaarlo Kytomaa for lack of the required Bachelor of Science degree in engineering. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Kytomaa, Harri Kaarlo

Mr. Fairbanks, Jr. made a motion to deny comity to Douglas Duane Pfaff for lack of the required Bachelor of Science degree in engineering. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Pfaff, Douglas Duane

Mr. Fairbanks, Jr. made a motion to deny comity to Frederick J.

Smith, II for lack of the required Bachelor of Science degree in engineering and the engineer-in-training (EIT) certification. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Frederick J. Smith, II

Vice Chairman Bernardo made a motion to grant comity to Thomas E. Spencer in the discipline specified. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer. Moore, Board Members were absent from this vote.

Spencer, Thomas E. CA Civil

8/25/2010

Page 8 of 15

Mr. Fairbanks, Jr. made a motion to deny comity to Robert R. Steen for lack of the required Bachelor of Science degree in engineering. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent

from this vote.

Robert R. Steen

Mr. Fairbanks, Jr. made a motion to deny comity to Michael D. Trickett for lack of the required Bachelor of Science degree in engineering. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Michael D. Trickett

Vice Chairman Bernardo made a motion to grant comity to Paul Marvin Westermann in the discipline specified. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Paul Marvin Westermann CA Civil/Structural

E.I.T. COMITY:

Vice Chairman Bernardo made a motion to accept Pamela J. Springer's request for Engineer-in-Training (EIT) certification and issue her EIT certificate. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer.

Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Spinger, Pamela J.

PE EXAMINATION

Mr. Fairbanks, Jr. made a motion to admit the following individuals to the October 2010 Professional Engineering examination.

Vice-Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

AVENIA, GREGORY ALAN KUROWSKI, II, DAVID ALAN

CARLONE, RICHARD A. MILLER, JAMES HENRY

FLORI, ALBERT I. MORRISON, CHAD T.

GREGORY, TODD STEVEN MULANAPHY, NICOLE MARIE

GUNNISON, ALAN JON OWENS, BRAD C.

HANCHER, DOUGLAS G. PAVAO, PETER JOSEPH

HOCHMAN, CRAIG JORDEN REGAN IV, JOHN H.

JAMES, MICHAEL A. SNYDER, ROBERT LEON

Mr. Fairbanks, Jr. made a motion to get clarification before admitting Lakelle D. Pritechett to the October 2010 Professional Engineering examination. If the last failure noted on the Examination Record form was a PE, then the application is approved for admittance. If the last

failure was an EIT, bring the application back before the Board without admittance. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Pritchett, Lakelle D.

8/25/2010

Page 9 of 15

ENGINEER-IN-TRAINING EXAMINATION:

Vice Chairman Bernardo made a motion to admit the following individuals to the October 2010 Engineering-In-Training (EIT) examination. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote. Let the record reflect that Secretary Duhamel left the meeting and did not participate in the vote for #78 (Joseph A. Duhamel).

BAUCHSPIES, TIMOTHY F. MURPHY, JENNIFER P.

CORREIA, ANDREW J. OLALEKAN, AFEEZ O.

COSTA, JONATHAN JOSEPH PANETTA, RAYMOND

DUHAMEL, JOSEPH A. PATEL, ROSHNI S.

FRENCH, OLIVIA ROBILLARD, MATTHEW A.

GERAVESI, RICHARD A. SCHALLER, BRUCE M.

**HERNBERG, ANNA M. SPIRITO, CATHERINE
LAROCQUE, ADAM D. STEERE, ALISON
MAHONEY, BRIAN J. VANDEPUTTE, JEAN-PAUL**

(19) Applications are to be assigned to be reviewed at the 15 September 2010 meeting

These applications were assigned to Mr. Fairbanks, Jr. for the first review.

C.O.A. APPLICATIONS:

(20) Lists of New and Amended Application to be reviewed.

Vice Chairman Bernardo made a motion to approve the applications for Certificates of Authorization listed on the 16 June 2010 list for Corporations, a Name Change, Change in Responsible Charge and Limited Liability Company as noted in the specific disciplines mentioned with the exception of (0), which was denied. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Vice Chairman Bernardo made a motion to approve the applications for Certificates of Authorization listed on the first 25 August 2010 list

for Sole Proprietorships, a Limited Liability Company, a Limited Liability Partnership, Corporations, Change in Responsible Charge, a Withdrawal and a renewal noting possible criminal action as noted in the specific disciplines mentioned with the exception of (0), which was denied. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

Vice Chairman Bernardo made a motion to approve the applications for Certificates of Authorization listed on the second 25 August 2010 list for Sole Proprietorships, a Limited Liability Company, a Limited Liability Partnership, Corporations, Change in Responsible Charge, a Withdrawal and a renewal noting possible criminal action as noted in the specific disciplines mentioned with the exception of (0), which was denied. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. Secretary Duhamel and Messer Moore, Board Members were absent from this vote.

The Board agreed that if a firm removes a person in responsible charge, the amended application does not have to be presented to the Board and can be processed. The Board also agreed that if a firm adds a person in responsible charge, then the amended application

does need to be brought before the Board.

8/25/2010

Page 10 of 15

ADJOURNED:

Chairman Smith informed the Board that the next Board meeting would be scheduled for 15 September 2010 at 12:00 noon. Mr. Fairbanks, Jr. made a motion to adjourn the meeting at 3:00 PM. Vice Chairman Bernardo seconded the motion. The motion passed unanimously, three in favor and two absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo and Messer. Fairbanks, Jr. Secretary Duhamel and Moore, Board Members were absent from this vote.

Posted on September 15, 2010 electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.

8/25/2010

Page 11 of 15

C. O. A. APPLICATIONS

BOARD MEETING OF 16 JUNE 2010

SOLES PAID COMMENTS

LIMITED LIABILITY CORPORATIONS

LINDEN ENGINEERING PARTNERS, LLC \$150 OK CIVIL

CORPORATIONS

ENVIROBUSINESS, INC. \$150 OK CIVIL AND STRUCTURAL

MCCOMAS ENGINEERING, INC. \$150 OK CIVIL ONLY

STRUCTURAL DESIGN & MGT, INC \$150 OK CIVIL ONLY

COA #5909 NATCOMM INC. \$5 0

NAME CHANGE TO CENTEK ENGINEERING, INC. OK

COA# 5439 HENKELS & MCCOY, INC. 0 OK

ADD THOMAS READINGER, PE

8/25/2010

PAGE 12 OF 15

C. O. A. APPLICATIONS

BOARD MEETING OF 25 AUGUST 2010

SOLES PAID COMMENTS

JOHN W. PREISS 0 OK CIVIL

STEPHEN A. RICCI, PE 0 OK CIVIL

LIMITED LIABILITY CORPORATIONS

M. CONSULTANTS, LLC \$150 OK MECHANICAL & ELECTRICAL

LIMITED LIABILITY PARTNERSHIP

ANVIL INTERNATIONAL EPS \$150 OK MECHANICAL ONLY

CORPORATIONS

ADVANCED ENGINEERING SYSTEMS, INC. \$150 OK MECHANICAL ONLY

PMH ASSOCIATES, INC \$150 OK MECHANICAL & ELECTRICAL

TANK INDUSTRY CONSULTANTS, INC. \$150 OK CIVIL

COA #5067 DIPRETE ENG. ASSOC., INC. OK

ADD BRIAN GIROUS, PE

COA# 5836 JAED CORPORATION 0 OK

ADD PARAG H. PATEL, PE IN RESP. CHARGE REMOVE MICHAEL

JONES

**COA#5960 CLIVE SAMUELS & ASSOC., INC. 0 OK
REMOVE SHELDON CUNNINGHIS ADD JOHN PULLEY IN RESP.
CHARGE**

**COA# LLC 31 e2 ENGINEERS, LLC 0 OK
ADD CHAD H. VOGT IN RESP. CHARGE.**

**COA#5150 POST, BUCKLEY, SCHUH & JERNIGAN, INC. OK
POSSIBLE CRIMINAL ACTION.**

**COA#1117 WALDO & ASSOC., LLC 0 OK
ADD ROBERT E. SONNICHSEN**

WITHDRAWALS

COA#1640 C.H. VOGT SOLE PROPRIETORSHIP WITHDRAW OK

8/25/10

PAGE 13 OF 15

C. O. A. APPLICATIONS

**BOARD MEETING OF 25 AUGUST 2010
LIST 2**

SOLES PAID COMMENTS

KEITH BOULDS 0 OK MECHANICAL

ANTHONY ESPOSITO P.E. 0 OK CIVIL

GORDON E. HORTON 0 OK CIVIL

KRISTA LYNN IACOBUCCI 0 OK MECHANICAL

JAMES R. ONYSKO 0 OK CIVIL

LIMITED LIABILITY CORPORATIONS

**LLC 39 OAK ENGINEERS, LLC D/B/A OAK, LLC (OAK) OK CHANGE
IN EMPLOYMENT STATUS OF RESP CHARGE FOR SEAN P. MALONE
#9152, FROM FULL TIME TO PERMANANET PART TIME**

**SCHNEIDER ELECTRIC ENGIENERING SERVICES LLC 150 OK
ELECTRICAL**

PARTNERSHIP

GRESHAM, SMITH AND PARTNERS 150 OK CHEMICAL

CORPORATIONS

**IRBY ENGINEERING & CONSTRUCTION, INC. \$150 OK CIVIL &
ENVIRONMENTAL**

**MOFFATT & NICHOL, INC. . \$150 APPROVED ON E-MAIL
VOTE-DOING WORK ON QPD (QUONSET POINT DEVELOPMENT) –
VERIFY - OK**

**ROLF JENSEN & ASSOCIATES, INC. \$50 OK REQUESTING
REINSTAMENT EXPIRED 06/30/08**

STEEL BUILT CORPORATION \$150 OK CIVIL

STEERE ENGINEERING, INC. \$150 OK CIVIL

RENEWALS

**COA#LLC10 SEIGMUND GROUP LLC 0 OK-IN REQUESTING
20-HOUR PER WEEK REQUIREMENT TO BE WAIVED**

**COA#5870 BERGMANN ASSOCIATES, INC. 50 OK SEE ANSWER
TO QUESTION #1**

**COA#5700 OVE ARUP + PARTNERS MA, INC. 100 OK SUBMITTED
NAME CHANGE TO ARUP USA. INC. ALONG WITH RENEWAL APPL.**

**COA#5639 SYMMES MAINI & MCKEE ASSOCIATES,
INC. OK REMOVE WAYNE KEEFNER ADD COLIN SIMSON AND
CHAD SULLIVAN IN RESP CHARGE**

**COA#5428 AI ENGINEERS, INC. OK ADDING BASIL BANTIMBA IN
RESP CHARGE**

**COA#5083 AECOM USA, INC. 0 OK REMOVE RICHARD P.
WOLSFELD (6949) ADD ROBERT WRIGHT (8261) COREY RICHARD
(8346) FIROOZ PANAH (8098) SCOTT THIBAUT (6841) JAMES A.
MITCHELL (9427) RON FIORE (4460) CHRIS GALLIGAN (7837) ALAN
GREEN (8279) YASSER RIZK (9430) IN RESP CHARGE**

**COA#5177 WRIGHT-PIERCE LIMITED OK THOMAS SIMBRO
(8876), WILLIAM E. BROWN (4772), JEFFREY P. MUSICH (7611), AND
HEBERT F. SHORT (6306) IN RESP CHARGE**

**COA#5912 BECHTEL COMMUNICATIONS, INC OK REMOVE
PETER MOSKAL (7987) ADD MICHAEL J. SIMONE (9429) IN RESP**

CHARGE

COA#5470 MCMAHON ASSOCIATES, INC. OK REMOVE RODNEY P. PLOURDE (4698) AND ADD MAUREEN CHLEBEK (5514) IN RESP CHARGE

8/25/10, PAGE 14 OF 15

COA#5662 RT GROUP, INC. OK REMOVE ROBERT BROWN (3835) IN RESP CHARGE

COA#5075 CAMP DRESSER & MCKEE, INC. OK ADD MATTHEW P. GALLANT (9451), SHAWN SYDE (9120) AND WILLIAM COLTER (8753) IN RESP CHARGE

COA#5319 ESS GROUP, INC. OK

REMOVE NORMAN A. DUDZICK, JR. (6339) IN RESP CHARGE.

COA#5161 VANASSE HANGEN BRUSTLIN, INC. OK ADD CONOR P. NAGLE (9405) IN RESP CHARGE

COA#5948 ESE CONSULTANTS, INC. OK CHANGE IN RESP CHARGE REMOVE NEIL ERICSEN SANDER

COA#5817 AUSTIN BUILDING AND DESIGN, INC. DBA THE AUSTIN COMPANY OK CHANGE IN RESP CHARGE REMOVE KENNETH R. SMOLEN (3878)

COA#5201 THIELSCH ENGINEERING, INC. HOLD TO REVIEW NEXT MONTH CHANGE IN RESP CHARGE REMOVE ROBERT E. MOSS

COA#5659 ROBERT W. SULLIVAN, INC. OK CHANGE IN RESP CHARGE REMOVE DOMINICK PUNIELLO

COA#5374 JOSEPH R. LORING & ASSOCIATES, INC. OK CHANGE IN RESP CHARGE REMOVED JOSEPH R. LORING (2535)

COA#5414 BL COMPANIES, INC. OK CHANGE IN RESP. CHARGE

**ADDED DONALD COSTELLO (8343) AND RAYMOND GRADWELL
(8998)**

**COA#5605 ALLIED ENGINEERING, INC. OK CHANGE IN RESP
CHARGE ADD IAN A. MACDONALD (6937)**

**COA#5490 CME ASSOCIATES, INC. OK CHANGE IN RESP
CHARGE ADD CHARLES EATON, JR. (8995)**

8/25/10

PAGE 15 OF 15